

Children and Young Persons guidance

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1.0 Introduction and legislation

Children and Young Persons frequently visit the University of Westminster for planned and non-planned visits. Under UK health and safety legislation, the University owes a duty of care to all visitors to ensure their health and safety as far as reasonably practicable, particularly to those of a young age.

Children and Young Persons are more vulnerable to hazardous environments due to their inexperience, level of knowledge and maturity. It is therefore important that the University has robust Health and Safety arrangements in place to ensure the health and safety of Children and Young Persons on campus, and that this duty is extended to off-campus activity.

University buildings and services are not designed with the attendance of children in mind and there are many hazards both in the layout of the buildings (in particular, open stairwells, railings, and balustrades which present a risk of falls from height in certain buildings especially at 115 New Cavendish St and in Little Titchfield St) and in the equipment and machinery provided for teaching and other purposes.

The University's premises are primarily a study/workplace for our students, colleagues and contractors; they are not public buildings.

The University is committed to enabling a supportive and safe learning and working environment which is equitable, diverse and inclusive.

We appreciate that occasionally our colleagues and students will need to respond to emergency childcare situations, and we will exercise flexibility and offer support insofar as we reasonably can via policies such as our 'Time off for Dependants' policy and procedure for colleagues, and funding support for students.

For the purposes of Health and Safety legislation, a young person is anyone under 18 and a child is anyone who has not yet reached the official minimum school leaving age (MSLA). Pupils will reach the MSLA during the school year in which they turn 16.

Under Section 3 of the Health & Safety at Work etc. Act 1974, the University has responsibilities to prevent, so far as is reasonably practicable, harm to persons who are not its employees but who are exposed to the risks of its undertakings. The Management of Health & Safety at Work Regulations 1999 also requires that non-employees and persons that may be more vulnerable are considered in its risk assessments.

Any visits by Children or Young Persons arranged by the University, e.g. for open days or other specific activities such as research studies and exhibitions/shows, requires the University to take sufficient preventative and protective precautions to ensure the health and safety of all. Risk assessment is the responsibility of the event organiser.

It should be noted that this document does not consider the ethical implications of research, nor the safeguarding of Children and Young People, and that, as the University is predominantly an adult environment, University colleagues and students are not routinely subject to Disclosure and Barring Service (DBS) checks.

2.0 Children and Young Persons on premises

When undertaking risk assessments and making local health and safety procedures and arrangements, the possibility of Children and Young Persons being present should be taken into account where reasonably foreseeable (e.g. where a venue may be open to the public) and where they could be exposed to significant risk of harm. This will identify safety and child protection measures that are needed for unplanned events / adhoc activities involving Children or Young Persons, or the presence of Children and Young Persons on premises (e.g. colleagues bringing their children onto campus). Local procedures must be in place to monitor and ensure the implementation of arrangements for the safety and child protection of Children and Young Persons. These must take into account the layout of the premises, in particular the risk of falls from height in stairwells, balconies and terraces. This is an issue especially at 115 New Cavendish St and in Little Titchfield St, and it may be preferable to organise activities involving children in other locations.

For planned events, where children or young persons are to be present on University premises (e.g. during outreach or research activity), a risk assessment should be carried out and procedures / arrangements put in place to ensure their health and safety and safeguarding during the event. A new or separate risk assessment is not necessarily required for each planned event or activity, as long as an existing risk assessment has adequately considered the specific factors for Children / Young Persons, is up to date, and sufficient arrangements / procedures have been put in place to mitigate arising health and safety risks. This risk assessment must include the required level of supervision and identify a person responsible for the visit.

Where a group of Children / Young Persons are being invited into the University (e.g. school visit or a commercial activity), written instructions must be provided, in advance, to the group leader (e.g. teacher) by the responsible person outlining the following for the building(s) that they are visiting:

- the emergency evacuation procedures
- the location of the emergency assembly point
- the name and contact number of the responsible person
- identifying areas of the building to which access is restricted or prohibited.

The group leaders must:

- have a list of the names of each member of the group
- confirm that they will be in attendance throughout the event and responsible for the supervision of the young people attending
- obey any instruction given by the Head of Department or their representative
- only enter those areas of the building indicated as being safe by the Head of Department or their representative
- contact the University if they feel that the University evacuation procedures are not sufficient for a member of their party (staff or student).

3.0 Adults working alone with Children

All adults who may work alone with a Child or Young Person, and adults who will have significant unsupervised access to Children or Vulnerable Adults, must contact People, Culture and Wellbeing with regards to undertaking a disclosure by the Disclosure and Barring Service (DBS), noting that these are required in very specific circumstances, as the University is an adult environment. This must only be done with the express permission of their Head of School or Professional Service Department, who will be responsible for ensuring that any necessary DBS checks have been undertaken and safeguarding measures put in place. Reference should be made to the University's Safeguarding Framework and further advice should be sought from People, Culture and Wellbeing.

4.0 Children of colleagues

Where colleagues are not at work and attending University premises with their children/children in their care, e.g. attending an event open to the public, those on care-related leave attending the University as mutually agreed 'Keeping in Touch' days; it is

expected that colleagues will keep their children under close supervision and bring them to low risk areas only. Children should not be brought routinely to the University.

In exceptional circumstances, a colleague may bring their own children or children in their care to their normal place of work, provided that this is a low-risk environment, such as an office – however it would normally be preferable to take as compassionate approach as reasonably practicable and enable the colleague to work flexibly or to encourage them to avail of the Time off for Dependants policy, rather than expect them to work while caring for a child.

In the event that other options have been explored and discounted, and the colleague and line manager have agreed that the colleague attends work with their children/children in their care, the following requirements must be adhered to:

1. their child is under constant supervision by a parent or guardian;
2. the colleague signs the child in at reception as a visitor to identify that they are on the premises;
3. the colleague's child will not enter any higher risk area such as a laboratory, workshop, studio, or media facility or any other area containing learning resources, laboratory substances or other hazardous equipment, e.g. waste stores, storage areas, building sites, kitchens or any other area defined as being of higher risk by local risk assessment;
4. the colleague's child will not enter areas in which others' learning could be disrupted, e.g. classroom, lecture theatre, seminar room, computer room, library (other than at the Student Centre desk), noting that this is consistent with the expectations for children of students;
5. the immediate line manager (or equivalent) has given prior approval, and this has been communicated to the local Estates Services Manager;
6. the child does not impede the work of others.

5.0 Children of students

Where students are not actively engaging with teaching/learning and are attending University premises with their children/children in their care, e.g. attending an event open to the public; it is expected that students will keep their children under close supervision and bring them to low-risk areas only.

Where a student is experiencing difficulties with childcare, it would normally be preferable to enable the student to participate flexibly (noting that this may not be

feasible in certain circumstances – visa restrictions, practical elements of courses), to reschedule their teaching/learning event where possible, or to encourage them to explore student funding options so that childcare may be facilitated.

Children should not be brought routinely to University.

In the event that other options have been explored and discounted, and the student and their course leader have agreed that the student attends with their children/children in their care for a short visit (for purposes such as returning/renewing a book, submitting an assignment, meeting a colleague in a colleague's office/social space) the following requirements must be adhered to:

1. they sign the child in at reception as a visitor to identify that they are on the premises;
2. their child is under constant supervision by a parent or guardian;
3. their child will not enter any laboratory, workshop, studio, classroom, lecture theatre, seminar room, computer room, library (other than at the Student Centre desk) or media study space or any other area containing learning resources, laboratory substances or other equipment for example waste stores, storage areas, building sites, kitchens or any other area defined as being of higher risk by local risk assessment.
4. the Course Leader (or equivalent) has given prior approval, and this has been communicated to the local Estates Services Manager;
5. the child does not impede the work of others.

6.0 Young persons enrolled on University courses

Risk assessments for activities that might pose a significant risk should address the possible lack of experience of Young Persons and the extra duty of care required. In practice, for many of the University's activities, the control measures identified to protect less experienced students from harm may also be adequate for the protection of young persons. The supervisors of Young Persons who are enrolled on courses at the University should ensure that they have adequate levels of supervision.

It should be noted that apprentices attending the University as part of their degree-level apprenticeships will not normally be children or young people, and that they should be considered as other undergraduate students during the risk assessment process.

7.0 Work experience

The University will make all reasonable endeavours to support work experience for

children of current colleagues. In line with the learning focus of work experience, the University also limits work experience to school children aged 14 and over, in alignment with the national programmes of study. Typically, work experience placements will last one to two weeks.

This guidance applies to requests for school children of colleagues (minors), who are of compulsory school age, to undertake an unpaid, temporary and short-term work placement at the University, during which time they will undertake junior-level tasks for the purpose of gaining experience and insight into the University's business.

In the event that line managers are approached regarding hosting work experience for minors, it is the line manager's responsibility to seek the appropriate approval from their Head of Department or Professional Services Director. The line manager must then ensure that the appropriate planning and checks are undertaken and documented prior to agreeing and commencing any period of work experience.

The colleague must complete the checklist in appendix A.

8.0 Employment of Young Persons (including apprenticeships)

The University may employ colleagues who are considered Young Persons, including those on apprenticeships. Contractors/sub-contractors may also employ Young Persons as apprentices. The University/their employer has the same duties to protect these Young Persons and a suitable and sufficient risk assessment must be undertaken.

9.0 Further advice and guidance

Further guidance on the health, safety and welfare of Children and Young Persons at work can be found on the HSE website:

<https://www.hse.gov.uk/young-workers/index.htm>

The University's Safeguarding Framework is at:

<https://universityofwestminster.sharepoint.com/sites/Resources/SitePages/Health%20and%20Safety%20policies%20and%20guidance.aspx>

The University's Family Friendly Policies are at:

<https://universityofwestminster.sharepoint.com/sites/Resources/SitePages/Family%20friendly%20benefits.aspx>

Student finance advice is at:

Guidance Document: Corporate/ODW/SHW/GE.36: **Oct 2024/Issue 3**

10.0 Appendix A:

[Work Experience Checklist](#)

11.0 Appendix B:

Draft form for bringing children/young people onto premises:



ESTATES PLANNING AND SERVICES

**STUDENT/VISITOR/STAFF APPLICATION FORM
TO BRING A YOUNG PERSON/MINOR ONTO UNIVERSITY PREMISES**

(Ref: Guidance Document: Corporate/ODW/SHW/GE.36: Oct 2024/Issue 3)

(To be completed in **all** cases)

PRINT NAME OF PARENT/CARER:

PARENT/CARER'S REGISTRATION NUMBER:

PARENT/CARER'S COURSE:

STAFF OFFICE:

PRINT NAME OF MINOR 1. 2.

AGE OF MINOR: 1. 2.

DATE ACCESS REQUIRED:

DURATION/PERIOD:

BUILDING(S) TO WHICH ACCESS IS REQUIRED:

AREAS TO BE VISITED:

IF ATTENDING LECTURE, **HAS LECTURER AGREED TO THIS/SENIOR?**

.....Yes/No (delete as applicable)

EPS MANAGEMENT (ESM SOFT) - APPROVAL:

AGREEMENT

I agree that I shall keep my child/children in my care with me at all times and shall be responsible for keeping full control of him/her in order to comply with Health & Safety requirements.

I understand that the University's prime purpose is as a place of learning and shall take due care and attention not to permit my child/charge to disrupt this activity or present a danger to themselves or others.

Failure to observe the conditions above may result in a refusal to admit on a future occasion.

Signature of Parent/Carer.....

Date.....